

IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF TENNESSEE  
KNOXVILLE DIVISION

ANGELA Y. MAYES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:06-CV-165
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**ORDER**

This matter is before the court on the January 25, 2007 report and recommendation filed by Magistrate Judge C. Clifford Shirley, Jr. [doc. 21]. In light of the parties' joint stipulation [doc. 20], Magistrate Judge Shirley recommended that plaintiff's motion for \$1,560.00 in attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412, [doc. 19] be denied as moot, and that the stipulated amount of \$1,300.00 instead be approved. There have been no timely objections filed to this report and recommendation, and enough time has passed since its filing to treat any objections as having been waived. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After a careful review of this matter, the court is in agreement with the magistrate judge's conclusion. The court therefore **ACCEPTS IN WHOLE** the report and recommendation under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). It is **ORDERED**, for the reasons stated in the report and recommendation, which the court adopts and

incorporates into its ruling, that plaintiff's motion [doc. 19] is **DENIED AS MOOT**, and the stipulated amount of One Thousand Three Hundred Dollars is instead **APPROVED**.

**IT IS SO ORDERED.**

ENTER:

s/ Leon Jordan  
United States District Judge